



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20591
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April 17, 2002

Robert Traver
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141

Dear Attorney Traver

We regret to inform you that your refund request for \$427.00 on application number 09/872990, cannot be granted for the reason specified below.

Refund based upon subsequent establishment of small entity status: A refund based on establishment of small entity status may be granted only if a written assertion of entitlement to small entity status under 37 CFR 1.27 and a request for refund of the excess amount are filed within three months of payment and of the fee (37 CFR 1.28). Three-month period for establishing small entity status and requesting a refund has expired.

Refund of application filing or petition fee: Filing fees paid for an application that is entitled to a filing date and required petition fees are not fees paid by mistake or in excess. If an application is not entitled to a filing date and proceedings are terminated on the application, any filing fees (less the \$130 handling fee) will be refunded (37 CFR 1.53(e)(3)).

Refund of overpayment: There was no overpayment made by applicant. All fees were calculated and assessed properly. ****See below****

The payment for which the refund is requested has not been applied to the application. The payment check was returned to applicant for the following reason:

- Not filled out properly. (See attached copy of notice.)
- Not made payable in U.S. funds.
- No explanation was given as to purpose.
- Payment was previously received and applied by Office.
- Check was returned by bank for insufficient funds.

****Any request for reconsideration or review of this decision must be by way of a petition filed within two months of this decision, which decision must set forth with particularity why a refund is due (see 37 CFR 1.181(b) and (f)).**

The refund is denied because of the multiple claims. There are 212, dependent claims, minus the 20 allowed, that leaves $192 \times \$18.00 = \3456.00 .

If there are any further questions, please contact Customer Service at (703) 308-1202.

Sincerely,

Eleanor F. Kurtz
Office of Initial Patent Examination